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The Right to Freedom

The Bulletin of the Human Rights Centre "Viasna"

Lukashenka warns NTV journalist

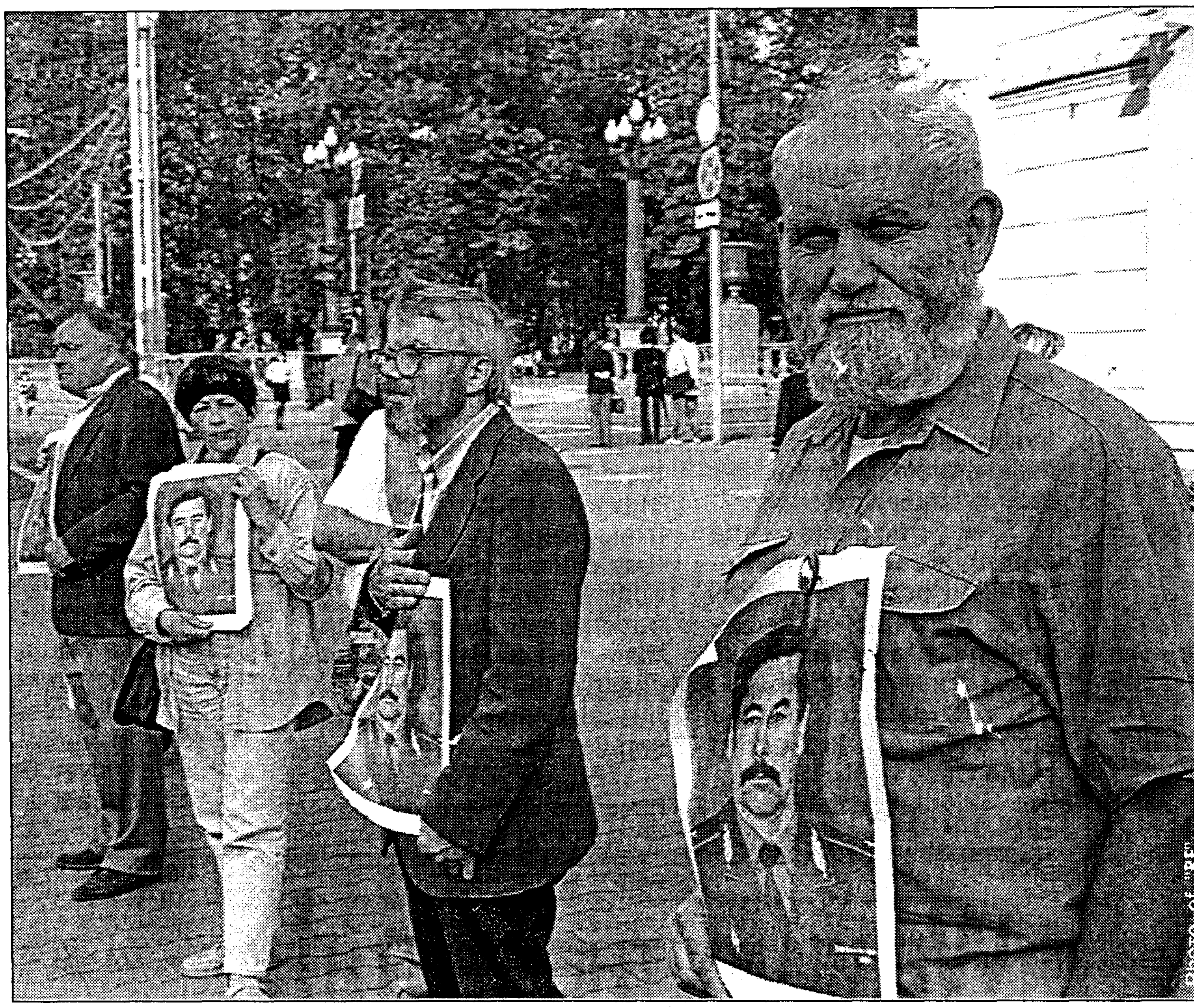
In his speech to the members of the so-called national Assembly Alexander Lukashenka stated that he warned the NTV reporter Pavel Selin about the possible consequences of his coverage of 19 April events in Minsk. On 19 April Selin reported on the harsh methods the police had used to disperse the peaceful demonstration of the democratic forces in Belarus. According to Lukashenka, «on the eve of the Bush-Putin meeting, the opposition needed to show a negative «picture» from Belarus about human rights violations», and Pavel Selin "had one-sidedly carried out the order"...

Trial postroned again

On 3 May Leninski borough of Hrodna court judge Tatsiana Klimava was to consider the case of the Pahonia journalists accused of libel on the President. Klimava was appointed instead of Judge Mikalai Siarheika, who had suddenly got ill on 9 April, when the hearing was supposed to have begun. On 3 May Klimava announced her decision to have the hearings delayed, explaining that she needed time to «finish her case on drugs».

Among the journalists Tatsiana Klimava is known for adjudging journalist Andrzej Pisalnik guilty of «insult to honor and dignity» in 2001. Later her decision was repealed by Hrodna regional court.

The trial over the Pahonia journalists will probably start on 16 May, if there are no further delays.


Photo of "RF"

We want the truth!

7 May it has been 3 years since ex-Minister of Internal Affairs Yury Zakharanka disappeared. On 7 May 2002 a «Chain of Concerned People» action took place in the center of Minsk. Dozens participated. They held portraits of the missing Viktar Ganchar, Anatol Krasowski, Dzmitry Zavadski, Henadz Karpenka (died in strange circumstances), and, obviously, Yury Zakharanka.

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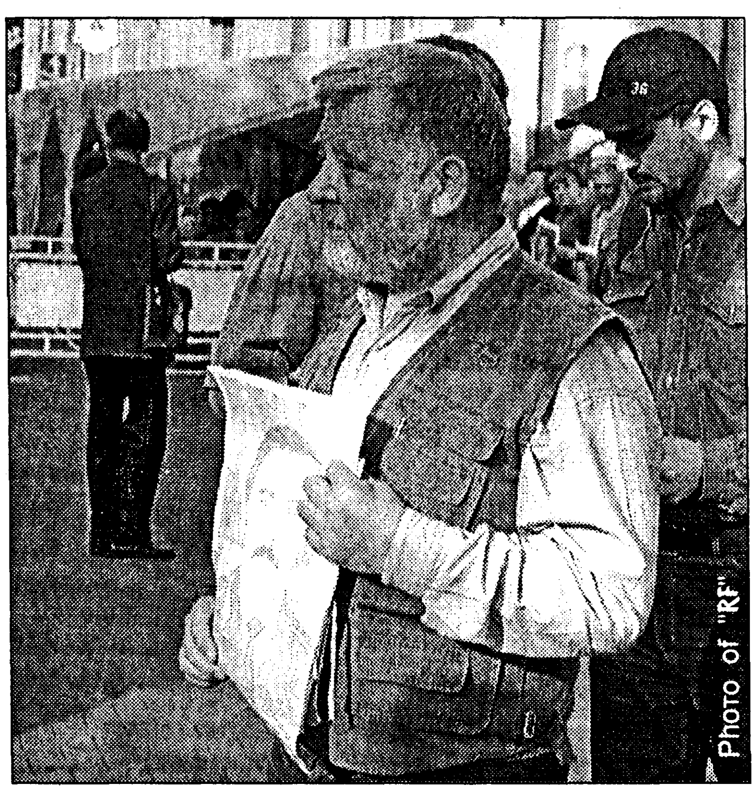

Photo of "RF"


Photo of "RF"


Photo of "RF"

VIASNA REQUESTS EXPLANTION

Human Rights Center Viasna requested the Supreme and the Constitutional Courts of the Republic of Belarus to provide an explanation if it is legal to send the detainees back to the detention center after they have asked for a lawyer to be present at the hearing. After the peaceful action of 19 April, there have been numerous cases with judges ruling to send the detained people back to detention centers once they request lawyers' assistance during trials. Viasna address says:

«Members of Human Rights Center *Viasna* monitored the trials over participants of the unauthorized march on 19 April 2002. Savetski, Centralny and Partyzanski borough courts, which had been considering the administrative cases of the detainees, demonstrated a new tendency in implementing Art. 242 part 3 of the Code of Administrative Infringements. The problem is the interpretation of the term "administrative detention".

The participants of the unauthorized march, detained by police on 19 April 2002, were kept in the detention center of Minsk City board of internal affairs; i.e. they were detained until the trial, under Art. 242 part 3 of the Code of Administrative Infringements.

On 22 April, during trials in Savetski, Centralny and Partyzanski borough courts of Minsk, some of the detained requested legal representation at the trial, in compliance with Art. 250 of the CAI. The judges granted their appeals, and, because one needs time to make a contract with a lawyer, the trials were postponed to a later time. The detained were sent back to the detention center, where they were kept until the new trial. Being in detention, they did not have a possibility to find lawyers and conclude a contract with them. The same thing happened in the case of the witnesses failing to appear in court.

This way, the citizens have been in pre-trial detention for 4 days (from 19 to 23 of April, 2002). At the same time, representatives of law enforcement agencies and the judges, who considered the cases, stated that under Art. 242 part 3 of the CAI, they have the right to detain offenders «until the court hears the case», implying that it means until the court hears the case in the essence and makes a ruling on the case.

According to Art. 257 part 2 of CAI, a charge with administrative violation under Art. 167.1 of CAI should be considered within 3 days after the court receives a violation report. That can lead to a conclusion, that people, detained on Friday evening can be kept in the detention center for 6 days, because a report would reach court only on Monday morning. We believe, this practice contradicts Art. 25 of the Belarusian Constitution. Besides, people who are kept in the detention center until the trial are deprived of the possibility to make a contract with a lawyer, because they can request a lawyer only during the trial. It is not possible to find a lawyer being in detention. This practice limits the constitutional right of the citizens to legal counsel (Art. 62 of the Constitution of the Republic of Belarus).

Earlier courts always interpreted the term «the court hears the case» as the beginning of a hearing, as accepting a case for consideration. In case a hearing was postponed for different reasons, including the demand for a lawyer, the citizens received summons to a different day and were set free.

Taking into account the above facts, within Art. 47 of the Law «On Judicial System and Status of Judges», the Human Rights Center *Viasna* requests an official explanation of Art. 242 part 3 of the CAI, in particular:

1. What is the meaning of the term «before court hears the case», used in Art. 242 part 3 of the CAI?

2. What is the maximum term of an administrative detention, provided by Art. 242 part 3 of the CAI?»

WE WANT THE TRUTH!

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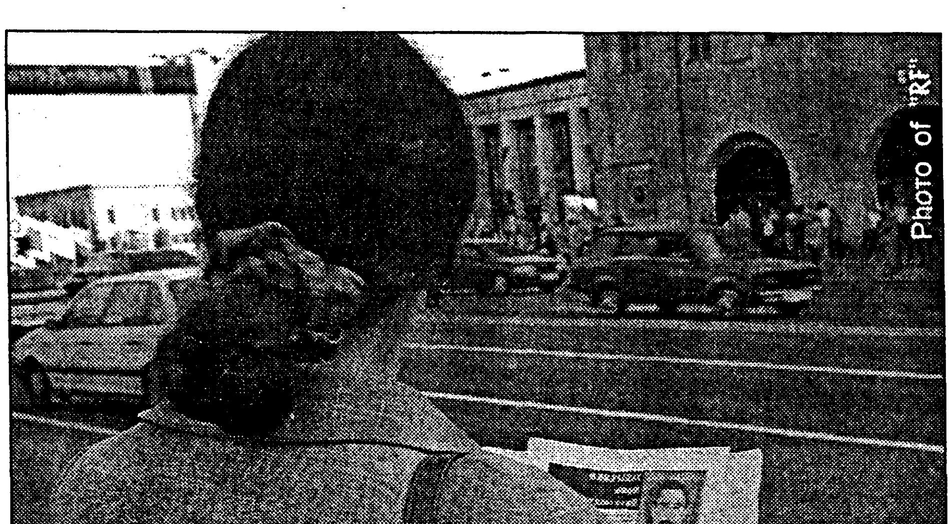
Among the people, who came to express their protest against the authorities' inaction, there were well-known politicians, journalists, and human rights activists: Alexander Dabravolski, Yury Khadyka, Mikhail Chygir, Valery Shchukin, and others.

On 7 May similar «Chains of Concerned People» actions took place in other cities of Belarus.

Activists of UCP and BSDP (Narodnaya Hramada) carried out an action «The Chain of Concerned People» in Homel. Anatol Paplawny, chairperson of Homel regional branch of Human Rights Center *Viasna*, was distributing newsletter «The Right to Freedom» during the action. Centralny borough police chief Ivan Smolikaw detained Paplawny and took him to the police station. The police made Paplawny write an explanation note and seized all the copies of the newsletter (35 copies).

On 7 May 2002 «The Chain of Concerned People» took place in Mahilow. A dozen of activists of United Civic Party and youth movement *Zubr* stood in a chain downtown Mahilow for about 30 minutes. They had portraits of Yury Zakharanka in their hands. The action went off uninterrupted.

On 7 May 2002 in the center of Brest, Brest and Pruzhany citizens marked the tragic date with an action «Chain of Concerned People» They held portraits of Zakharanka and other missing people: Ganchar, Krasowski, and Zavadski in their hands. Passers-by demonstrated a great interest in the action, approaching the activists just to talk and to express their moral support for the action participants. One passer-by used lipstick to write «THANK YOU» on the asphalt in front of the «Chain...». The action went without any incidents or detentions.





HOW I WAS A «VOLUNTEER»

MEMORIES EVOKED BY CHERNOBYL DISASTER ANNIVERSARY

In the spring of 1986 I was a 4th year student at Minsk Institute for Foreign languages. On 27 April a friend told me that radiation-measuring equipment in the Academy of Sciences went crazy. At the same time, he said, the «voices» (foreign radio) informed they had registered the same in Sweden, and the supposed epicenter of radiation is somewhere in the Soviet Union. Take iodine!-he said.

The Soviet mass media kept silence. Girls from our institute, and from other higher education institutions as well, regularly had to go to the compulsory rehearsals of the May Day march. During the rehearsals, dressed in uniforms exposing their arms and legs, they learned to enthusiastically wave artificial flowers, expressing their gratitude to the Communist Party and the Politburo for caring about the welfare and health of the Soviet people. The hot April sun was supposed to add to their enthusiasm.

In spite of the silence of the Soviet press, everybody knew about the Chernobyl accident. But nobody knew what doses of iodine one should take. That's why hospitals' and clinics' staff was busy treating burned throats.

Spontaneous exodus of people from contaminated areas started. Families of officials and doctors were the first to leave, followed by other people. Finally, the Soviet press published information about the Chernobyl accident. The authorities launched a campaign of drafting reservists to work in the contaminated areas and started evacuating population.

I had lots of friends, who studied medicine. They told me that medical students substituted medical staff in hospitals and clinics, because a significant part of medics (as liable for call-up) had been drafted to the Army.

In the fall of 1986 our turn came. The Ministry of Education sent a letter to our university indicating a lack of teachers in the contaminated areas and requesting 4 «volunteers». The rector called in female academic underachievers and all male students. They called us to the Rector's office one by one. There we saw practically all of our university administration, sitting in a semi-circle; and the solemn shimmering of the shoulder-strap stars of the professors from the military department of the institute.

«Motherland is in a difficult situation. It needs your help. Do you agree to go there to work?» – each of us was asked.

The answer was simple: «No!» Each of us refused. Then they tried a different method... This time, quite predictably, everybody agreed. However, only 4 «volunteers» were needed. However, Rector Krasnova, mad at people who tried to argue with the institute administration, informed the Ministry: «We have 29 volunteers more! They should be provided with work in the contaminated areas!» By the way, when the institute sent us to Chernobyl districts, they promised us double salary, and board and lodging. The reality was different.

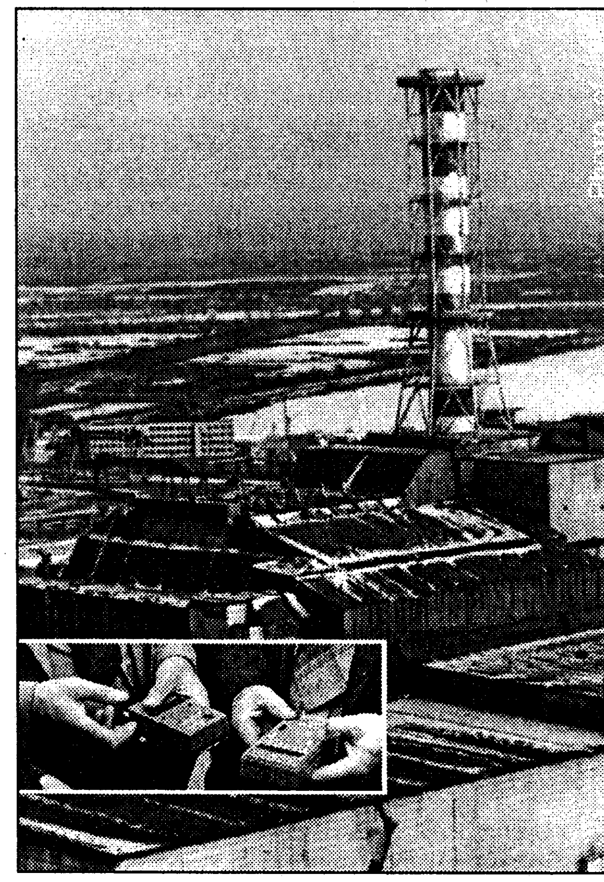
I got the position of a teacher in Verbavichy secondary school of Narowla district of Homel region. I came to Verbavichy in December. Everybody hoped, that the snow will cover the ground, and the radioactive emanation will decrease. I was given a room at the school: a huge window with such a rent between the walls and the window-frame, that it was impossible to caulk it up. A stove was small and didn't keep the room warm. It was warm only when I was burning wood.

The school, actually, had its own boiler-room, but the head of the collective farm connected his garage to the heating system. The boiler-room is small, if the garage had enough heating, kids in the school had to wear furcoats and valenki (felt boots) during classes. I was dying from cold day and night in my room.

Verbavichy secondary school was located in a 2-storey brick building. Each class had from 2 to 9 students. These were the kids, who came to Verbavichy from time to time to see their parents in the breaks between «recovery measures». There was a lack of teachers. I had to teach, besides English, algebra, geometry, PE, something else (can't remember everything) and introduction into the military service. One of my duties as a teacher of the subject mentioned last was measure the radiation rate in the village with out of date equipment. Everything was above radiation norms: fences, houses, coal heap outside the building where I lived, a bench at the bus stop, and the ground... One mustn't live there. But people worked on contaminated soil, they brought hay for the cows from «clean» districts to the farm, located in the "no-settlement" zone. The people were convinced they were used as guinea-pigs. Later I learned, the local officials deliberately played down the radiation rate: to prevent re-settlement, to keep Narowla district an administrative unit, and to keep their posts.

The village bathhouse was to have worked 24 hours a day. Every villager should have had an opportunity to wash off the radioactive dust. In reality, people could make use of the bathhouse only a few hours a day, and only after the head of the collective farm... This «benefactor» always went to the bathhouse with a couple of the village toadies, and communicated exclusively in foul language with them. When he needed to punish a disobedient villager, one of those lackeys, just for vodka, could chase the poor guy around with an axe. The head of the collective farm did not live in the village, he lived in the district town.

Every villager was given a monthly ration: one bottle of vodka (to remove radiation), a kilo of tinned meat (Chinese made), and some other insignificant things. The ration was obviously not enough to live for a month. The local people, in spite of the prohibition, used their old supplies. I didn't get even that ration – I wasn't registered as a resident of the village. The school principal took care of me and included me in the list of ration recipients as a teacher. But during the first 2 months the saleswoman in the village shop did not give it to me, saying my name was not on the list. Moreover, she refused to sell me the food from the village shop. That's why in order to buy food I had to go to Narowla, sometimes even farther. Some time later I was proposed to work in Narowla secondary school. The principal of Narowla school was more influential and put me on the ration list as a father of 5 kids. I recall a funny, but a revealing incident. When I told the saleswoman in Narowla shop that I had 5 kids, she, seeing how young I was, asked how old was the youngest one. I said, one year old. She goes: «babies don't eat meat!». I received one ration less. I didn't make such mistakes anymore.



So I worked 2 days in Narowla and 4 days in Verbavichy. The village was about 9 kilometers from the town. The bus service was terrible. The local drivers were not recommended to give a ride even to acquaintances because of marauders. That's why my own legs became the most reliable transport. It's cold to walk 9 kilometers in winter. I had to run to keep warm.

Sometimes packs of wolves appeared along the road, which ran through the forest, and it was really terrifying. Local people said they weren't wolves, but dogs, which had grown wild after the people were resettled. They were even more dangerous than wolves, they were hungry and angry, and were not afraid to attack people.

Double salaries were not paid. People, registered as the district residents, received «coffin» money – 15 roubles a month. When I tried to ask the head of Narowla education board about the promised double salary, he explained: «Your second salary is your stipend...»

(Continued on page 7)

NO NEWS...

THREE YEARS SINCE MINISTER OF INTERNAL AFFAIRS YURY ZAKHARANKA WENT MISSING

Ex-Minister of Internal Affairs General Yury Zakharanka was kidnapped in the evening of 7 May 1999, not far from his house. The witnesses, found not by investigative bodies, but by the Civic Commission for the Search of Zakharanka, saw several strangers throw Zakharanka into the car and leave in unknown direction. According to Zakharanka's wife, he had previously received anonymous threats. On 7 May, about 10 p.m. Zakharanka came home by car. He parked the car on the parking lot, situated not for from his house (15 minutes' walk) and used a cellular phone to call his wife. He said, he was already there and would come soon. Yury Zakharanka never came home. Volha, Zakharanka's wife, says: «I kept telling him: Yury, he (Lukashenka) will either kill or jail you anyway. Leave him alone. But Yury always replied: I will never leave my country and will always keep my head high... Yury was not afraid of him. Nobody dared to say that he was a killer. The power that is not disdainful of using dirty methods to remove decent people is terrible. But everybody thinks only about himself and hopes it will leave him alone. My Yury also thought like that...» Later on one witness, who begged not to publicize his name, said he had seen several strangers push Zakharanka into a red car and drive off in an unknown direction.

Several years ago Zakharanka was dismissed from his post as a person, who did not share the opinion of the president and his inner circle. Ex-Minister enjoyed respect of his colleagues and worked on establishing Belarusian Officers' Union. That's why his opposition activities were very dangerous for the authorities. Zakharanka was an active member of United Civic Party. It was rumored that during the referendum of 1996 Zakharanka secretly negotiated with the Law Enforcement Ministers, reaching an agreement that in case Lukashenka lost power through impeachment procedure, he would be arrested and charged with unconstitutionally attempted seizure of power. But the story had another end...

Looking through newspapers, fresh and old ones, one can find not only questions, but also the answers, read between the lines.

Na Strazhe, the newspaper of the Ministry of Internal Affairs, 26 July 1994. Congratulations to all policemen of all ranks and departments on the 4th anniversary of Belarus' independence. The editorial titled «Who leads us into battle?», answered the question given in the title: the President



Yury ZAKHARANKA.

(Alexander Lukashenka), prime minister (Mikhail Chygir), and the Minister of Internal Affairs (Yury Zakharanka). Each with a picture and a short CV.

Na Strazhe gave the following information about Yury Zakharanka: On 26 July 1994 A. Lukashenka introduced the new Minister of Internal Affairs to the Ministry top personnel. The head of the state promised the 40-year-old Minister to support his good undertakings. Yu. Zakharanka assured the president that law-enforcing bodies would restore order both in their ranks and in the country as a whole. «New team came to power, — Alexander Ryhoravich said, — It appoints new chiefs. This is a civilized process».

Yury M. Zakharanka was born in January 1952 in Vasilevichy, Rechytsa district. He is a Belarusian. After the army service (Baltic Navy) he finished Volgograd Higher School of Investigation of the Ministry of Internal Affairs. Zakharanka was an investigator in Svetlahorsk, then head of investigation department of Chyhunachny borough police board of Homel, and then head of Investigation Committee of the Ministry. In 1994 he was appointed Minister of Internal Affairs.

In one of his first interviews to *Na Strazhe* (30 September 1994) Yury Zakharanka said: «the main priority of the law-enforcing bodies is fighting the criminals who inflict the greatest damage to people and the state. Theft of private property, murders, economic and organized crime – we have a lot to work on. We will use the most up-to-date and tough methods of revealing, exposing and rendering criminals harmless».

However, from the very beginning of his service he bumped into the fact, that he was expected to fight not criminals but the differently minded. He didn't like that. Khashchavatski's movie *Ordinary President* contains a part of Zakharanka's interview. Zakharanka recalls how Lukashenka told him he would have to implement any of his orders. Zakharanka answered, he wouldn't violate laws and the Constitution. Then Lukashenka promised to handcuff and arrest Zakharanka. Zakharanka said that intimidation was the main tool of Lukashenka's working style. «Strong people get crushed, and weak people get broken», Zakharanka said.

Disappearance of Yury Zakharanka was the first one in Belarus. Unlike cases of kidnapping Anatol Krasowski and Viktar Ganchar, as well as Dzmitry Zavadski, Zakharanka disappeared without any material evidence. The criminal case on the General's disappearance has never been instituted. In 2001 Zakharanka's family immigrated to Germany. But Zakharanka's mother, Ullana Ryhorawna, stayed. She still lives in Yury's hometown – Vasilevichy. Every day she waits for her son and hopes he will come back. Ullana Ryhorawna addressed Lukashenka: «Alexander Ryhoravich, I have only one hope and joy in this world – to see my son before I die, at least to glance at him once. Please, release him. Be kind to give such an order. For Jesus Christ's sake! Otherwise God won't forgive you. You also have a mother. You have a wife, and two sons. God forbid you will lose your kids in your old age. Then you'll understand me. But it will be too late».

Where are Zakharanka, Ganchar, Krasowski and Zavadski?

During the presidential election campaign in Belarus both anonymous and sourced evidence about the missing people appeared in the independent press.

The mass media received the first anonymous letter from a KGB officer on 20 November 2000. According to the letter, KGB traced Zavadski's kidnappers after they had arrested Ihnatovich, who fought in Chechnya for the Chechen separatists. During the investigation Ihnatovich named a number of special squad officers who instructed the Chechen forces. According to this anonymous information, 5 people, detained together with Ihnatovich are the officers of the president's Security Service, one former and one acting member of the *Almaz* Special-Assignment Police Force. According to the letter, the detained confessed to having murdered Zavadski

and showed the place of his burial in a forest near Minsk. The investigation found a spade with the trace of Zavadski's blood. However, exhumation was never carried out. The investigating group was not allowed to do that by the management of the Security Council (headed by Sheiman) and personally by the President. The case was transferred from KGB to the Ministry of Internal Affairs (headed by Naumaw). Everything was aimed at messing up the investigation. According to the letter, the detained persons are also implicated in Ganchar and Zakharanka's disappearance. About 14 people participated in Ganchar's elimination. The letter said that the investigation has been under pressure from the very beginning.

Seven days after the letter appeared in the press, Lukashenka reshuffled the power structures. He dismissed Prosecutor General A. Bazhelka (changed for ex-chief of the Security Council V. Sheiman) and KGB chief U. Matskevich. The time has shown, the reshuffle was not accidental and had a clear relation to the information in the press.

On 11 June 2001 Belarusian mass Media, NGOs and human rights organization received a videotape with an interview with Dzmitry Petrushkevich, a member of the fact-finding group to investigate Zavadski's case, and Aleh Sluchak, ex-investigator of the prosecutor's office. The interview was recorded abroad. Petrushkevich and Sluchak presented some documents from Zavadski's case. In particular, they showed a copy of the report on expert examination of the spade which had been found in Ihnatovich's car. The experts said the blood on the spade belonged to Zavadski. They also presented a copy of the report on the detention of SOBR chief Pawlichenka, which had been sanctioned by KGB and Prosecutor's Office. Dz. Pawlichenka was put into the detention center, where Prosecutor General Aleh Bazhelka personally talked to



New Minster Zakharanka taking up his post.

him and demanded Pawlichenka to tell him the whereabouts of journalist Zavadski. Pawlichenka informed him that Zavadski's body is not far from Minsk, somewhere near North Cemetery. (Most probably, this is also the place, where Zakharanka's, Ganchar's and Krasowski's bodies can be found). On the same very day they ascertained the location of Zavadski's body. Nobody doubted that he had been killed.

Prosecutor General Bazhelka made a personal inquiry to Russian Prosecutor General Ustsinaw. He asked for equipment, which can search for bodies in the ground, and specialists who can assist in using it, because Belarus did not have such equipment at her disposal. After that, on 27 November 2000 Lukashenka issued a decree, dismissing the Prosecutor General, the Minister of Culture and the KGB chief. The next day Russian Prosecutor General receives a letter, which says that there was no more need for the earlier inquired equipment. Pawlichenka was released from the detention ward – by members of the Security Council on a personal command of the Council Secretary Sheiman.

According to Petrushkevich, the investigative group was headed by the Minister of Internal Affairs U. Naumaw, who personally knew Ihnatovich and Malik, accused of kidnapping. Naumaw personally visited both of them in the detention ward... According to Petrushkevich, Naumaw informed the accused, because they knew everything about almost every member of the investigative group. Malik and Ihnatovich regularly threatened the group members. They were very well informed about private life of every group member, about their family members and their addresses...

When Lukashenka appointed Sheiman Prosecutor General, the investigation turned into a real farce.

Aleh Sluchak also talked about the background of the group, which was later called the Death Squad.

After the referendum of 1996 the Security Council Secretary Viktar Sheiman charged Commander of Internal Army Sivakow with creating a team, which could execute any orders of the country's leadership. Sivakow commissioned officer of SOBR (the Interior Ministry's special quick deployment unit) Pawlichenka to select people for special operations. They set up a group, which consisted of people, who were later accused of kidnappings and murders, — Ihnatovich, Huz, Malik, Savushkin, and other 5 or 6 people that the investigation could not determine. Pawlichenka became the chief of the group. The group received an order to work out a plan of kidnapping and killing people, which excluded the possibility of a body being recovered. No body – no crime. They decided to use a gun whose owner can't be identified – a gun used to carry out death penalties in Belarus. Pawlichenka was given the gun for 2-3 days and then gave it back to the prison. The scheme of an «ideal murder» was tested on the top criminals. One of the top criminals Shchawlik was the first one to disappear.

Nobody made a sensation of top criminals' disappearance. The scheme was considered ideal and the group got more serious «orders» – political ones. Zakharanka disappeared, followed by Ganchar, Krasowski, and Zavadski. Pawlichenka received all instructions directly from Sivakow (Minster of Internal Affairs). Sivakow was instructed by Sheiman (then Secretary of the Security Council). After Sheiman's resignation, the group got under full control of the new minister of Internal Affairs Naumaw (his previous post was the chief of the president's security service). The group committed over 30 murders in total.

The group got caught out with Zavadski. Sluchak draws a conclusion, that Zavadski was kidnapped and killed for having been Lukashenka's personal cameraman and leaving him for ORT channel. It is well-known, Sluchak says, Lukashenka never forgets and never forgives... Sluchak also said in the interview that in 2000-2001 2 investigators, who had been dealing with the murders, committed by the «death squad», died in unclear circumstances...

All the independent mass media in Belarus published this information. Russian TV channels showed the video recording of the interview. Belarusian citizens were shocked, having heard about the «death squads».

Lukashenka commented on the first anonymous letter saying: «I swear by my children, this is not true». After the video-interview he remained silent. Actually, once he called Pawlichenka an «honest officer and an intellectual».

In July 2001 more documents emerged. On 13 July 2001 presidential candidate U. Gancharyk organized a press conference, where he publicized several copies of hand-written texts. The texts were the reports of the head of the main board of Internal Affairs' Ministry criminal police Major-General Lapatsik and head of Minsk detention center Colonel Alkayew to the Minister of Internal Affairs Naumaw. The reports showed that Pawlichenka had really been given the «execution gun» on the eve of the kidnappings' days.

It's worth mentioning the authorities made several successful moves for neutralizing this information, and discrediting it in the eyes of the common people. They were especially successful in the provinces, where people get little information. They chiefly staked on Belarusian TV propaganda which showed the «We Want the Truth!» democratic forces' campaign as provoking and well paid for by the Western special services, as conspiracy against independent Belarus and its president. The democratic candidates had no opportunity to tell the truth to the people through the state-owned TV and press. Lukashenka made full use of the situation and won the election.

(*Continued on page 7*)

STUDENTS FACE EXPULSION

FOR PARTICIPATION IN THE CONGRESS OF BELARUSIAN STUDENTS ASSOCIATION

On 7 May 9 members of Stolin BSA branch (Brest region) were called in for a conversation with the principal of Stolin State Agricultural College. Principal Vasil Komik informed them that they, students in the 3rd and 4th year, will be expelled from college for their involvement with BSA. The formal reason for expulsion is their absence from 3 lectures (6 academic hours). It's worth mentioning that some of the students have all excellent grades and were going to graduate with awards.

The problem is that on 27-28 April Stolin branch members of BSA participated in the 7th Congress of Belarusian Students Association, which was also a constituent congress of NGO «BSA-FOREVER». Because of the Congress they had to miss their classes on Saturday – April 27. Using that ground, the college administration is going to expel them.

The case was initiated by the deputy principal for educational work Kanstantsin Bakavets. By the way, both Komik and Bakavets worked in the district committee of the Communist Party during Soviet times. Bakavets organized a teachers' meeting with selected teachers and heads of departments (8 people). Teachers, who support BSA members (the majority of teachers do), were not admitted to the meeting. «Dangerous» students and some of their parents were invited to the meeting, where they were informed about the possible expulsion. At the same time the students were not given an opportunity to utter a word.

After the meeting BSA chairperson Volha Kuzmich and *Student Newspaper* journalist Yury Sidun had a conversation with college principal Komik. They demanded explanations spelling out the grounds for the students' expulsion. Komik answered: «I can't explain. I am busy. On May 10 I'll invite all parents. I will expel everybody. Not only for absence from classes. We have rules. Some of the students are under age. They were engaged in the illegal activities. There are leaders among the 3 students, who are above 18. They involve the under-aged. Young people should be educated, including those who involves the youth into their organizations». Komik has a negative attitude to any non-governmental organizations, because they «contradict the official policy of the state, of the president, the official police of our college as of a state educational establishment». A huge portrait of Lenin, which hangs above the principal's head, gives a clear explanation of his attitude towards politically active young people.

Komik refused to show the college statute. It is easy to draw a conclusion: absence from classes is only a formal reason to get rid of active students. But even this reason is not enough. A student can be expelled only on the grounds of 2 official warnings and for a significantly bigger number of missed classes. None of the students had had previous warnings. The administration refused pointblank to show the college statute both to students and to BSA chairperson.

This is not the first attempt of the authorities to hinder BSA activities by means of pressurizing BSA members through college administrations, and conversations with parents. For example, last year all members of Orsha BSA branch were called one by one to the principal's room for a «conversation». BSA Council affirms that we will not leave any of our members without our support, we will not leave any student without help in standing up for his rights.

BSA Press Service.

WITH HOPE FOR JUSTICE

Human Rights Center *Viasna* was contacted by the mother of Yury Kazlowski, frontier troops captain, relief head in the customs department of Minsk-2 airport. Kazlowski is accused of bribery and fraud.

The investigation of Kazlowski's case is over, and the case materials have been sent to court. The press-service of Belarusian Prosecutor issued a press release informing about the charges to the frontier guard and the appointed hearing. Many newspapers published this information. The majority of newspapers covered the case with an accusing bias.

In her turn, Larysa Kazlowskaya, the border-guard's mother, contacted human rights activists, asking for help in drawing the public attention to the case. She states the charge against her son is illegal. She seeks help in withstanding the mass media attempt to create a negative image of her son before the trial.

Obviously, it will be the court that will find Kazlowski guilty or not guilty. Yury's mother is concerned about the biased nature of the investigation, and the psychological pressure on Yury and her. The investigation tried to force Larysa to influence her son and convince him to plead at least partially guilty.

Larysa is convinced that her son is not guilty. She is fighting for justice and doesn't want her son to become a victim of false accusations.

Yury was detained on 20 June 2001 in Minsk. On 23 June Belarusian military prosecutor office arrested him. Yury was kept in pretrial center. At first he was charged under Art. 430 part 2 of the Criminal Code (receiving a bribe of $500 by blackmailing an Afghani citizen, who has a refugee status and lives in Minsk). During the investigation the charge was re-qualified: now Kazlowski is charged under Art. 209 part 1 and part 2, Art. 16 part 5 and Art. 431 part 1 and 2 of the Criminal Code (fraud and giving a bribe).

The mother of the frontier guard believes, her son's detention and accusation are aimed at getting rid of him. Without him they want to make possible unrestricted crossing of the border by illegal aliens, she thinks. During Kazlowski's service, his relief revealed and detained 118 trespassers, including 19 during the first months of 2001.

Obviously, every mother thinks of her child as of the best one. We'll just give a bare listing of facts. Yury Kazlowski has a 1-class qualification, in 2000-2001 was awarded with diplomas as one of the best relief heads. In 1999 and 2001 Yury was awarded with breastplates of 1 and 2 of First and Second Class.

The State Committee of Frontier Troops stood up for their employee. The head of the State Committee A. Pawlowski sent a letter to prosecutor V. Lubavitski, saying: «During his service captain Yury Kazlowski revealed himself as a competent, well-prepared officer. When making a decision about captain Kazlowski, I ask you to pay attention to the fact that he has never committed any kind of infringements before».

Moreover, being under investigation, Kazlowski got reinstated in his position and continues his service. This is a sign, that his chiefs and colleagues completely trust him.

Yury's mother says, «To my mind, my honest son became an obstacle to somebody. He has always been a real officer, he stood in the way of the people, who try to illegally cross the borders of our country. That's why they conspired to incriminate him on a false charge. At present some employees of Belarusian military prosecutor office are interested in proving the crime by any means. They have really great power and I can't be sure that they'll fail».

The only hope is for just and unbiased trial. Let's hope Themis will hear the arguments of Yury Kazlowski and his attorney. Yury's mother is completely sure of her son's innocence and will participate in the trial as his attorney.

Information Department of the Human Rights Center *Viasna*



WHEELCHAIR INVALIDS STAND FOR THEIR RIGHTS

On 7 May about 30 wheelchair invalids protested against the contemporary social policy of the Belarusian authorities. The rally was organized by Belarusian association of Wheelchair Invalids, which unites over 600 members. The rally participants held posters: «President! Who is responsible for not implementing the laws about social security for the disabled?», «Democracy is equal rights and opportunities», «Release us from home prison!»

The rally participants believe the country's government violates a number of the constitutional guarantees in relation to the disabled: Art. 21 (worthy life), Art. 30 (Freedom of movement), Art. 37 (participation in the life of the state), Art. 41 (right to work), Art. 45 (right to health protection, possibility to do sports), Art. 47 (right to worthy social security), Art. 48 (right to accessible housing), Art. 49 (right to education), Art. 51 (right to participate in the cultural life), and Art. 60 (defense of rights and freedoms).

At the end of the rally the participants collected signatures for an open letter to Alexander Lukashenka, where they demand «to immediately adopt a decree, which releases all wheelchair invalids from taxes, imposts and other payments»



NO NEWS...

(Continued from pages 4-5)

He still did not comment on any of the people's disappearances accusations brought against him.

There is another version of Ganchar, Krasowski, and Zakharanka's disappearance. It was given by Andrei Klimaw, prisoner of consciousness and member of the 13th Supreme Soviet. Klimaw was sentenced to 7 years of imprisonment under framed-up embezzlement charges and spent 4 years in jail. In 2002 the united pressure effort of international human rights organizations resulted in his amnesty. When he was in Minsk detention center (this is the place where death penalties are carried out) the prisoners rumored that Krasowski, Ganchar, and Zakharanka had been executed in Minsk detention center. They were read the ruling, written by a judge, possible a judge of the Supreme Court. Obviously, there had been no trial. They had been sentenced in their absence.

The story remains unclear. It has many lacunas. The only high-ranked official, who testified in this case, is ex-head of Minsk detention center Alkayew. At the moment he lives in Germany, guarded by German police. He took a gun registration journal with him. It has entries about the gun being given to Pawlichenka. The dates of the entries are the same as the days of Zakharanka, Ganchar, and Krasowski's kidnappings. Lukashenka made a mistake and indirectly confirmed the information, that the «Death Squad» had killed the top criminals. In one of the interviews during his trip to Homel Lukashenka said that the criminals had tried to boss him but he had quickly done away with them and «everybody knows where those Shchawliks are now». All the rest keep silence: Lapatsik, who addressed Naumaw with a report, ex-Prosecutor General Bazhelka, who left for Russia after his dismissal and cloistered himself in an Orthodox monastery. The Supreme Court made a ruling on Zavadski's case, giving Malik and Ihnatovich life sentences. But the question, Where is Zavadski? – remained unclear.

The families of the missing wait for their sons, husbands, and fathers. They wait and believe that sometime they would come home.

I believe that sooner or later we will learn the truth about the disappearances of the Belarusian politicians — our fellow countrymen. We will learn all the truth, no matter how bitter it would be. We will learn the names of the people, who committed those crimes and take them to court. Wrongdoers must not get away with it.

Valantsin STEFANOVICH.

HOW I WAS A «VOLUNTEER»

(Continued from page 3)

Once a delegation of some important communist party functionaries from Moscow visited Narowla. I could see they are also «volunteers». They dashed aside from everything and walked the ground as if it were burning coals. The guests avoided direct contact with the local people, they were afraid even to shake hands with them. Hospitable Belarusians offered the guests some food to eat: a meal which their kids ate at school. It only sped up their departure. In a panic mocked at by the locals, the representatives of the sister nation and communist party got on the bus and left for Mazyr, to the station of radiation control and decontamination.

When the term of my 6-months contract was over, I came to Narowla education board to get discharged. Instead of dismissing me, the head of Narowla education board called the rector's office and said in my presence: «I have your deserter here!». At those times it meant the end of the career and shame until the end of my kids' and my days. Fortunately, the rector was away and it was the vice-rector talking to him. She asked him to give me the receiver and said: «Don't be afraid, I understand your situation, work a couple of days till the end of the academic year, and I will settle your graduation exams».

The boorish-faced communist head of the education board mockingly smiled with enjoyment. I looked in his faces and thought: «People are right when they say: There is no worse master than a master who was a slave».

...Lots of years have passed since that time. I have never received any privileges as a "Chernobyl-area resident". Brest officials repeatedly lied to me saying that Verbavichy was not on the list of contaminated villages. Only on 12 May 1998, 12 years since the Chernobyl disaster, I received a «disaster eliminator» certificate. I never used the certificate and will never use it – I am too proud to do that. I think, it's high time Belarusian started to take care of themselves, about their country, about their welfare. It high time Belarusians buried any striving for the Union with Russia, for integration. Nobody, will set things going in our country, it's only us.

Uladzimir VIALICHKIN
Head of Brest regional branch of the Human Rights Center *Viasna*

NEW USE OF THE TROJAN HORSE

OR NEW JOB OF FORMER STATE «HUMAN RIGHTS ACTIVIST» YAWHEN NOVIKAW

The authorities are busy creating the state-run «holding» on the basis of culture magazines and the *Literature and Art* newspaper. New chiefs demonstrate their incompetence in the affairs of the journals, selected for their own experiments. The Ministry of Information confused with its own power inquires of *Literature and Art* secretary what post is held by Ales Pismiankow (editor-in-chief!). Soon the so-called liquidation commissions will start working...

Krynitsa, Nioman, Polymia staff leave the magazines, protesting against state-level violence.

Everybody blames Siarhei Kastsian, the chief of the newly-created «holding company», for the state's actions towards the respected Belarusian journals. However, we see the key figure of the Kastsian-Novikaw-Bondar troika (the chief and his deputies) is not the member of Lukashenka's puppet parliament, but the «human rights activist» Novikaw. Most Belarusians know him as the author and anchorman of the ill-famed TV programs «Human Rights. A Glance at the World», «Question!» and «Talking to the Point». The real aim of the «holding» is clear if one looks back on the career of the «TV-star». Let's recall the working methods of the person to head the marketing department of the new «holding company».

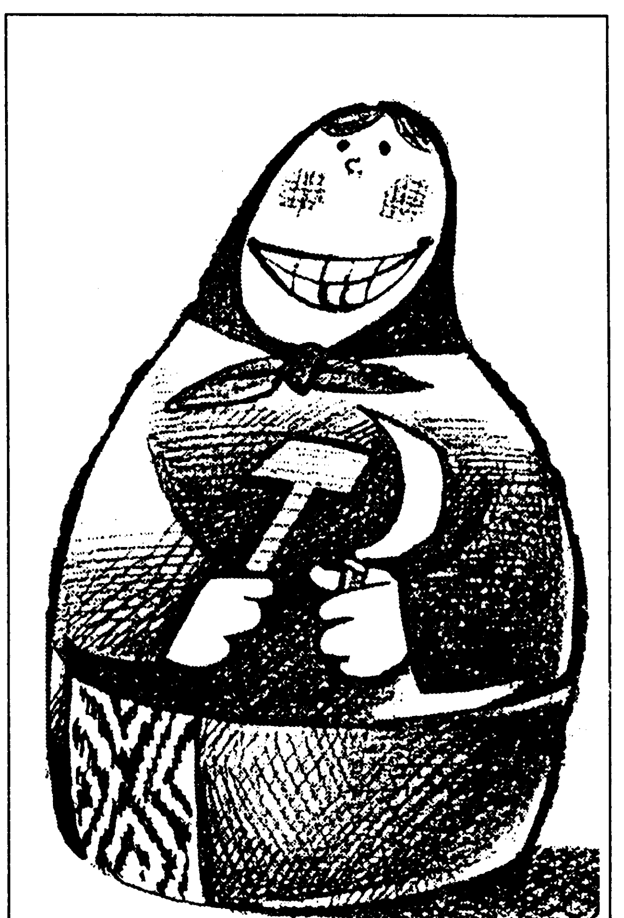
In 2000 the Supreme Court ruled to close down Belarusian National League of Human Rights (BNLHR). Here is the spicy bit of the story: Yawhen Novikaw, its ex-chairperson and founder, was the one who initiated and insisted on its closure.

A little earlier the Belarusian National League of Human Rights held a congress deposing Novikaw of his post and membership in the League. The Congress delegates enthusiastically supported the proposal to vote Novikaw out of his post and unanimously deprived him of membership. The «human rights activist», loyal to the authorities lost his post (NB!) for «failure to observe the organization's mission, deliberate blocking of Executive Committee activities, abusing his powers and using the League for private mercenary ends». Novikaw was accused of misappropriation of a big grant, an organization apartment and intentional discrediting of the human rights movement.

In spite of the serious nature of accusations, Belarusian law-enforcing bodies did not bring charges against Novikaw. Furthermore, he had no difficulties in registering a League of Human Rights Defense (LHRD). At the same time he did not forget to take vengeance on his offenders from BNLHR and initiated a procedure of closing down the NGO which had got rid of him.

Interestingly, Novikaw took the trouble of creating some hidden rocks when establishing BNLHR. He decided to establish BNLHR when he had lost membership in Belarusian League of Human Rights. From the legal point of view, Novikaw used dubious ways of getting BNLHR registered. According to prosecutor, BNLHR members and Novikaw himself, from the very beginning the NGO found itself in a «miserable situation». Practically, no real work had been done, the executive committee had not met, and no documents had been processed processed. At the same time, some of the founders were victims of political repression during the Soviet epoch. Not surprisingly, members, seeing no use in such a League, started to leave.

A decision to get rid of the odious chief trapped the activists. The rancorous Novikaw wrote 2 letter to the Ministry of Justice. One letter stated the illegitimacy of the Congress and insisted that Novikaw was still the chairperson. The other letter asked to remove «his» organization from the list of the registered NGO. The Ministry of Justice revealed enviable efficiency and recognized the results of the Congress illegitimate. At the same time BNLHR received 2 warnings from the Ministry about «inadmissibility of law violations».



BNLHR got the warnings for the letterheads, used by Novikaw in his letters to the Ministry, and for holding «illegitimate» congress. The Ministry of Justice appealed to the Supreme Court, asking to close BNLHR down. That's when the most interesting things were revealed. A representative of the Ministry of Justice indicated the forged documents, submitted to the Ministry in 1999 during BNLHR re-registration as a ground for liquidating the League. It turned out that the application documents Novikaw had prepared contained forged signatures (namely, of the executive secretary). Besides that, the list of the members and the founders, prepared by Novikaw, included «fictitious figures» (members of long-forgotten BLHR).

Meanwhile, in spite of the clear difference in the interests of the «human rights activist» and the Ministry of Justice, one could observe full harmony between Novikaw and officials in the courtroom. BNLHR ceased its existence and Novikaw came through unscathed and headed the new, third in a row, pro-presidential league.

Two years has passed since that time. The professional destroyer of human rights organizations found an application of his experience in another area. We can already observe some possible «undertows». It is still unclear, Who gave the powers to the «commissioners»? (It is well known that Minister of Information Padhainy had been compelled to sign the ruling to create the «holding company», although he had originally been against that). What right do they have to dismiss (or vice versa, employ) people? All editors-in-chief signed contracts with the Ministry of Information and personally with Padhainy. Moreover, the staff has been promised, that all editorial teams would sort of CEASE THEIR WORK, and then it would be time for... LIQUIDATION commissions to start working. Everything is very dubious from the legal point of view. Probably, only Novikaw knows what will happen tomorrow... To cut the long story short, the presidential «Trojan horse» and «human rights activist» has a free hand: even to violate the Law on the Press, the Constitution and the rights of citizens to work and freedom of speech.

Vadzim DOWNAR.

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